



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF HOME INSPECTORS
DATE AND TIME:	Thursday, August 22, 2013 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room B
APPROVED:	September 24, 2013

MEMBERS PRESENT

Donald S. Pyle, Sr., Professional Member, Chair
Dennis Theoharis, Public Member, Vice Chair
Joyce Edwards, Public Member
Daniel C. Eichelberger, Professional Member (arrived at 9:50 p.m.)
Tim Harriger, Professional Member (arrived at 9:50 p.m.)

MEMBERS ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Jennifer Singh, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
James Collins, Division Director
Kay Warren, Deputy Director

PUBLIC PRESENT

Lisa Roddis
Eric Espada
Tracey Espada
Wes Mast (arrived at 10:20 a.m.)

CALL TO ORDER

Mr. Pyle called the meeting to order at 9:34 a.m.

REVIEW AND APPROVAL OF MEETING MINUTES

The Board reviewed the meeting minutes from the July 10, 2013 meeting. Mr. Theoharis made a motion, seconded by Mr. Eichelberger, to approve the minutes. The motion carried unanimously.

UNFINISHED BUSINESS

Review of Proposed Rules and Regulations Draft

Ms. Singh stated that the originally scheduled hearing to amend the Rules and Regulations could not take place at this meeting since the Board's first Rules and Regulations draft was recently published. Ms. Singh stated that she could not put in an amendment to Rules and Regulations that were not yet in effect at the time the August 2013 register of regulations was being published. Ms. Singh stated that the Board could consider extending the November 4, 2013 deadline since the change would be a month behind what was originally anticipated.

Mr. Pyle stated that the proposed Rules and Regulations change was to give credit to applicants that did not meet the grandfather provisions for inspections that were completed before August 6, 2013.

Mr. Eichelberger stated that 250 inspections may be an unrealistic requirement of home inspector trainee for various factors and other states did not have a similar trainee program. Ms. Kelly stated that the trainee program with supervision was a statutory requirement. Mr. Theoharis stated that he had joined Mr. Harriger on a home inspector and stated that he was impressed with the amount of knowledge needed. He thought that going out for 125 inspections should be sufficient since the education would be required and the national exam would need to be passed. Mr. Pyle agreed with Mr. Theoharis's suggestion. Ms. Singh stated that the Board could change the number of supervised home inspections required for trainees.

Mr. Eichelberger questioned if a trainee would need their own E & O insurance. Ms. Singh stated that would be a business decision not a licensing decision and the supervisor would be responsible for the entire inspection.

Mr. Pyle stated that potential applicants, that do not meet the grandfather provisions, should get credit for home inspections that they have completed, with or without supervision. Mr. Pyle suggested to allow credit for all inspections performed with supervision and one inspection credit for every two inspections completed without supervision. After discussion, Mr. Theoharis made a motion, seconded by Mr. Theoharis, to approve the Rules and Regulations changes under Rules 3.5, 10.1, and 10.1.2 to state that a trainee could obtain half credit for any inspections performed before November 4, 2013 so long as the application is submitted before November 4, 2013, and must complete 125 inspections under supervision as a trainee. The motion carried unanimously.

Ms. McAtee stated that the Board could change their next meeting date from September 11, 2013 to September 24, 2013 in order to hold the Rules and Regulations hearing. The Board agreed to change the next meeting date. Ms. McAtee stated that the Board would meet in conference room A on September 24, 2013 and that she would update the public meeting calendar.

NEW BUSINESS

Review of Applications – Grandfather Clause

Donald Pyle

Mr. Eichelberger reviewed and summarized the application of Donald Pyle. After review and discussion, Mr. Theoharis made a motion, seconded by Ms. Edwards, to approve Don Pyle for licensure. The motion carried by majority, with Mr. Pyle recused from voting.

Raymond Hinderer III

Mr. Pyle reviewed and summarized the application of Raymond Hinderer III. After review and discussion, Mr. Pyle made a motion, seconded by Mr. Theoharis, to approve Raymond Hinderer III for licensure. The motion carried unanimously.

Daniel Eichelberger

Mr. Pyle reviewed and summarized the application of Daniel Eichelberger. After review and discussion, Mr. Harriger made a motion, seconded by Ms. Edwards, to approve Daniel Eichelberger for licensure. The motion carried by majority, with Mr. Eichelberger recused from voting.

Eric Espada

Mr. Pyle reviewed and summarized the application of Eric Espada. After review and discussion, Mr. Pyle made a motion, seconded by Mr. Theoharis, to approve Eric Espada for licensure. The motion carried unanimously.

Paul Duhamel

Mr. Pyle reviewed and summarized the application of Paul Duhamel. After review and discussion, Mr. Eichelberger made a motion, seconded by Mr. Harriger, to approve Paul Duhamel for licensure. The motion carried unanimously.

Louis Schneider

Mr. Pyle reviewed and summarized the application of Louis Schneider. After review and discussion, Mr. Pyle made a motion, seconded by Mr. Theoharis, to approve Louis Schneider for licensure. The motion carried by majority, with Mr. Harriger recused from voting.

John Kerrigan

Mr. Pyle reviewed and summarized the application of John Kerrigan. After review and discussion, Mr. Harriger made a motion, seconded by Ms. Edwards, to approve John Kerrigan for licensure. The motion carried by majority, with Mr. Eichelberger recused from voting.

Ms. McAtee questioned if the Board was comfortable to delegate authority to the Division of Professional Regulation to issue licenses for applications that met the requirements of the grandfather clause for five years of practice as a home inspector. Ms. McAtee stated that only applications that were free from discipline or criminal history and met the five year grandfather clause would be issued. After discussion, Mr. Pyle made a motion, seconded by Mr. Theoharis, to delegate the Division the authority to issue licenses to applicants that met the five year grandfather provision. The motion carried unanimously.

Ms. McAtee stated that she would scan, redact, and email the applications out to the Board for the grandfather applications that qualified under the 250 inspections provision. She would also email any applications received that were applying by endorsement.

Educational Provider Inquiries

Ms. McAtee stated that she was receiving inquiries from continuing education providers. The Board did not have a continuing education application. Ms. McAtee also informed the Board that their Rules and Regulations did not allow for qualifying education to be approved. After discussion, Mr. Pyle made a motion, seconded by Mr. Harriger, to have Ms. McAtee draft a continuing education approval form and to amend Rule 5.1 to add the words "or by the Board" to allow the Board to approve qualifying education. The motion carried unanimously.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Mr. Eichelberger stated to take "as for" out of trainee application and stated that the instructions should have read, "before applying for" take out the word "as."

Ms. Kelly stated that this would be her last meeting and thanked the Board for being so involved in the process and Ms. Singh would be taking over the Board as Deputy Attorney General. The Board thanked Ms. Kelly for her hard work over the past year with the Board.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next Board meeting will be at **9:30 a.m. on Tuesday, September 24, 2013 in Conference Room A** located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business to discuss, Mr. Pyle made a motion, seconded by Ms. Edwards, to adjourn the meeting at 12:14 p.m. The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', written in a cursive style.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.